

RULE CHANGE PROPOSALS
2008

CHAPTER ONE

1 - 1

Author: Richard Lockhart

Page 29.

Section IX. Disciplinary Procedures. B. Complaint.

Delete last sentence of this section.

Replace with:

In addition, the Executive Committee may request a hearing on a complaint.

Rationale: This makes more sense that the entire Executive Committee should look at any grievance and forward to Hearing Committee.

Financial Impact: None

Legal Opinion:

I have no legal objection to the proposed rule change.

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Author: Lewis Haines

Page 29.

Section IX. Disciplinary Procedures. B. Complaints

Add after the last sentence:

Once cause has been determined to convene a hearing, no other Association entity may cancel the hearing. The Hearing Committee must conduct a hearing.

Rationale: This will prevent the cancelling of a hearing once the Executive Director has determined there is enough cause for a hearing.

Legal Opinion:

I am opposed to this proposed rule change. There is nothing wrong with canceling a hearing if it is in the best interest of the PFHA to do so. If, after a matter is referred to a hearing, legal issues or factual issues develop or become known, which would establish that the matter should not have been referred to a hearing, or that it is not in the best interest of the PFHA to go forward with a hearing, the PFHA must be able to cancel the hearing in my opinion.

Author: Dr. Margaret Fahringer

Page 29.

IX. Disciplinary Procedures.

Replace Chapter One. IX. in its entirety with the following:

CHAPTER ONE

IX. PROTESTS, CHARGES, HEARINGS AND PENALTIES

General.

I. Fair notice and an opportunity for a hearing shall be accorded to any amateur athlete, coach, trainer, manager, administrator, or official before the Association may declare such individual ineligible to participate in any amateur athletic competition. Exception: When a determination of violation has been made by USEF and the Association is required to implement and enforce any penalties imposed, further Association proceedings are not required. Any hearing conducted hereunder shall be conducted in accordance with the provisions of Chapter One.

A. Neither the Association nor any member of the Association may deny or threaten to deny any member athlete, coach, trainer, manager, administrator or other official the opportunity to compete in the Grand National Championships or in international competitions.

B. Any individual identified in Section 1 above who alleges that he or she has been denied by the Association or a member of the Association a right established by Section 2 of this Rule shall immediately inform the president of the Association and who shall cause an investigation to be made and steps to be taken to settle the controversy. The construction and application of Association rules are governed by the laws of the State of Florida.

C. It shall be the duty of the Association Hearing Committee to hear protests and charges in connection with alleged violations of the rules, to hear appeals from the Licensed Officials Committee's non-renewal or revocation of a licensed official's license, and to hear athlete and other grievances.

D. The Executive Director shall have the authority to schedule a disciplinary hearing when he/she determines there is sufficient cause for a hearing.

Additionally, a disciplinary hearing shall be held if it is requested by two (2) members of the Executive Committee or by the President.

E. A protest, charge or grievance must state the full name and address (if known) of the accused, must list each Rule number alleged to have been violated and must contain a complete statement of the acts which constitute the alleged violation. The maker of the protest, charge or grievance must be prepared to substantiate the protest, charge or grievance by his or her own personal

testimony at a hearing or by the testimony of at least one other witness with personal knowledge who is subject to cross-examination, and by additional evidence including but not limited to sworn statements, other witnesses. The Hearing Committee, at the request of a party or on its own motion may excuse the requirement of personal testimony in the hearing of a protest, charge or grievance as it deems appropriate, if the parties to the protest, charge or grievance stipulate to the relevant facts unless the respondent advises the Hearing Committee at least ten (10) days prior to the hearing that he or she will be present, in person or by representative, and that he or she wants the requirement of the maker's personal testimony not to be excused. In that case, the Hearing Committee may not excuse the requirement of personal testimony by either the maker as eyewitness or one (1) other eyewitness. The notice of hearing of any such charge or protest shall advise the respondent of this provision.

II. PROTESTS/CHARGES

A. A protest or charge against a Licensed Competition must be referred to the Association by the steward, Show Committee or competition manager.

B. Protests or charges that a steward has failed to attend the competition, perform his duties, or has otherwise violated the Rules; or that a judge has failed to conduct a class in accordance with the specifications or has otherwise violated the Rules. Such protests or charges must be referred to the Association. In the event the accused is found guilty, he or she may be subject to any of the penalties under and notification of any penalty imposed will be published in Paso Fino Horse World or on the PFHA website.

C. The Association may investigate any protest, charge or alleged violation, may intervene in any protest, charge or grievance and present evidence at a hearing concerning any protest, charge or alleged violation at its discretion. The Association may also attempt to arrange a plea agreement or dismissal of a protest or charge in lieu of a hearing by reviewing all evidence and/or conducting interviews with the maker(s) and the respondent(s) to the protest or charge.

D. The Chair(s) of the Hearing Committee, or if unavailable a chair appointed by the President from the Hearing Committee, may designate one or more members of the Hearing Committee or any other individual to investigate any protest, charge or alleged violation, to conduct any necessary fact finding, to hear evidence, to review memoranda submitted by interested parties, and to make proposed factual findings to the Hearing Committee,

E. Non-protestable Decisions.

1. The soundness of a horse, when determined by an official veterinarian of the competition or by a judge, is not protestable.

2. A judge's decision, representing his/her individual preference or opinion, is not protestable unless it is alleged to be in violation of Association rules.

3. A protest questioning the height of a horse or the length of a horse's foot may

only be made to the Show Committee.

4. **Withdrawal of a Protest or Charge.** If, prior to a hearing being held, the maker of a protest or charge wishes to withdraw it, he or she must make written application to the Hearing Committee, setting forth the reasons for the request. Following review of said application, the Hearing Committee will determine whether to allow the protest or charge to be withdrawn or whether to schedule the matter for hearing at a later date.

5. Any member of the Association may file a protest or charge or grievance with the Hearing Committee pertaining to any matter within the cognizance of the Association and alleging a violation of any provision of the Association's Bylaws or Rules,

III. Protests.

A. Any rider, driver, handler, exhibitor, owner, agent, trainer or the parent of a junior exhibitor, or any Life or member present at the competition may file a protest with the Show Committee of a Licensed Competition or The Association Hearing Committee alleging violation of any Association rule(s). The protest must contain all information as specified and must be:

1. in writing,
2. signed by the protester,
3. addressed to the Show Committee of the competition at which the alleged violation occurred, or to the Hearing Committee,
4. accompanied by a deposit of \$200 if made by a Association member or the parent of a junior exhibitor member or \$300 if made by a non-member (if check, payable to the competition or to the Association); said deposit will be refunded in the event the protest is upheld, and received by the steward, technical delegate, a member of the Show Committee, the competition manager or the competition secretary within 48 hours of the alleged violation. If made directly to the Hearing Committee, the protest must be received at the Association office by the tenth business day following the last recognized day of the competition, or by the tenth business day following the date on which the alleged violation occurred if it occurred other than at a Licensed Competition.

IV. Charges.

A. Any official of a USEF Licensed Competition, any Association Representative assigned to a USEF licensed competition, any National Officer of the Association or the Executive Director of the Association may file a charge with the Show Committee or the USEF Hearing Committee alleging a violation of any Association rule(s). The Executive Director may, but is not required to, consult with any or all of the Association Officers prior to determining whether or not charges should be filed in any case.

B. A charge must be:

1. in writing,
2. signed by the person making the charge,
3. addressed to the secretary of the competition at which the alleged violation occurred, or to the Hearing Committee and
4. if made to a Show Committee it must be received by the steward, technical delegate or a member of the Show Committee within 48 hours of the alleged violation. If made to the Hearing Committee it must be received by the Association within a reasonable time.

IV. Hearing Procedures.

A. Any person, group of persons or competition against whom a protest or charge is filed are entitled to a hearing. Such hearing shall be after at last thirty (30) days' written notice to the accused except that a Show Committee may hold a hearing during or within 48 hours of a competition after 24 hours' written notice to the accused unless this notice requirement is waived in writing by the accused. Notice of hearing must contain a brief statement of the facts constituting the alleged violation, the Association rules allegedly violated and must specify the time and place at which the hearing is to be held.

B. Initial written notice of a protest or charge must be sent to the accused within sixty (60) days from the date the protest or charge is received in the Association office or from the date a charge is issued by the Executive Director or National Officer of the Association. This initial notice may either specify a time and place at which the hearing is to be held or state that the hearing will be held at a date to be determined. If the initial notice does not specify a date and place, a subsequent notice of hearing specifying the date and place of the hearing will be sent at least thirty (30) days prior to the hearing date.

C. Any notice sent to the last known address on file with the Association shall be deemed sufficient notice.

V. Continuances & Emergency Postponements.

A. A respondent, protester or charging party may request a continuance of a scheduled hearing. A motion for continuance must be made in writing prior to the hearing and received by the Association at the address designated in the Notice of Hearing as soon as the need for a continuance is known, but in any event at least 30 days prior to the time set for the hearing. A first continuance motion must be accompanied by a \$750 fee which will be refunded if the continuance is not granted. Any second or subsequent application for continuance will only be considered upon receipt of a written continuance motion and \$1500 fee which will be refunded if the continuance is not granted. Motions for continuance will only be granted at the discretion of the Hearing Committee upon good cause shown. Prior engagements of counsel may or may not be considered good cause. A second request or repeated requests by defense counsel for continuances due to

counsel's unavailability on a scheduled hearing date or dates may in the discretion of the committee's co-chairs be grounds for the denial of a continuance request. In that event, the respondent must promptly arrange to proceed with or without substitute counsel. (Note: When the Association, as charging party or its representative(s) requests a continuance, there will be no fee.)

B. An emergency postponement of a scheduled hearing will be granted to a respondent, protester or charging party in case of severe illness, natural catastrophe or other emergency circumstances that would prevent the individual's attendance at the hearing. Such a motion must be in writing, setting forth the reasons and providing proof, if available, and must be received by the Association at the address designated in the Notice of Hearing as soon as the need for continuance is known. A first motion for an emergency postponement must be accompanied by a fee of \$250 and any second or subsequent motion for an emergency postponement must be accompanied by a fee of \$1,000. These fees may be waived or refunded at the discretion of the Hearing Committee

C. Motions for a continuance or emergency postponement received prior to a scheduled hearing will be ruled upon by the Co-Chairs, or at least a quorum, of the Hearing Committee.

VI. Evidence.

A. Accused persons may attend their hearing at their option, with or without counsel, and may bring witnesses, submit sworn statements or other evidence on their behalf.

B. The proponent of a protest, charge or grievance has the burden of proof by a preponderance of the evidence.

C. Upon the written request of an accused or accuser or of a representative of the Association when it is a party to the proceeding, there shall be furnished to the requesting party reasonably in advance of the hearing copies of any evidence proposed to be introduced into evidence at the hearing, the names of witnesses and the substance of their testimony and the notice of hearing shall so advise. When the Association is not a party to the matter, such exchange must take place between the parties to the matter.

D. The parties are required to copy one another on all documents and evidence sent to the Association.

5. In connection with charges brought by a steward or competition official when they are not themselves eyewitnesses to the matters addressed in the charge, they may participate at the hearing by teleconference call unless the Hearing Committee determines otherwise in its discretion.

VII. Temporary Suspension.

In connection with any protest, charge, or any other matter which may properly

fall within the jurisdiction of the Hearing Committee, and upon a finding that considerations involving the health, safety or welfare of Association members and/or their horses, or the best interests of horse showing generally, warrant prompt action pending consideration of the matter by the Hearing Committee or the Executive Director may, by giving written notice of such action, temporarily suspend any person from participating in any manner in the affairs of the Association or participating in or attending all Licensed Competitions until the Hearing Committee can hear the protest, charge or other matter and take such further temporary or other disciplinary action as it deems appropriate under these Rules, including temporarily suspending any person from participating in any manner in the affairs of the Association or participating in or attending all Licensed Competitions, until the Hearing Committee can hear or determine the protest or charge.

VIII. Proceedings Before a Show Committee.

A. A Show Committee receiving a protest or charge must promptly hold a hearing and all accused and accusing persons and other persons directly concerned must be given advance notice in writing and be given the opportunity to appear at the hearing.

B. Before holding the hearing, the Show Committee must obtain all relevant evidence and information from the documents (such as entry blanks) and witnesses (such as Competition Officials) under its control. The Show Committee must then adjudicate the issues impartially and make effective its decision upon the parties.

C. If a protest is sustained, the deposit must be returned to the protester; if not sustained, the deposit must be forfeited to the competition. A Show Committee may disqualify a person and/or his or her entries at that competition after holding a hearing of which the person had actual advance notice and the opportunity to appear.

D. If a Show Committee cannot reach a decision in regard to a protest or charge, the matter must be referred to the Hearing Committee. If the matter in question is a protest, it must be accompanied by the protest deposit. If the protest is sustained by the Hearing Committee, the deposit must be returned to the protester; if it is not sustained by the Hearing Committee, the deposit will accrue to the Association. In all cases, after either reaching a decision in a hearing or failing to reach a decision on a protest or charge, the Show Committee must promptly report in writing its findings of fact and conclusions regarding alleged rule violations and recommended penalties, if any, to the Hearing Committee. A party to a protest or charge desiring to appeal a decision of the Show Committee to the Hearing Committee must file an appeal in writing with the Hearing Committee at the Association's office within fifteen (15) days of the initial decision. The Hearing Committee will not review the findings but will determine

whether the rules were properly interpreted and applied.

IX. Proceedings Before Hearing Committee.

A. The Hearing Committee will hear protests and charges in connection with alleged violations of Association rules, in accordance with the powers and duties referred to below.

B. The Hearing Committee shall promptly issue its findings in accordance with the Association's which findings shall be final, except where otherwise provided in the Constitution.

C. The functions of any member of the Hearing Committee or any other presiding person participating in any decision shall be conducted in an impartial manner, subject to the published Rules of the Association and within its powers. The Hearing Committee and other persons presiding on pre-hearing motions and at hearings shall give all parties a fair hearing and act as authorized by Association rules. All members of a hearing panel must be present during the entire hearing to hear and consider all the evidence, as well as to deliberate and decide the outcome of the matter, except as may be otherwise agreed by all parties to the proceedings.

D. Any member of the Hearing Committee or any presiding or participating person may at any time disqualify himself or herself. Upon request of a party or in matters heard pursuant, the identity of the persons who will preside and participate at a hearing shall be disclosed reasonably in advance of the hearing. On the submission in good faith, of a timely and sufficient affidavit of personal bias or other grounds for disqualification of a presiding or participating person, the presiding person, persons or Hearing Committee will consider and decide the matters raised as a part of the record and decision in the case.

E. The Hearing Committee or any person or persons presiding at any pre-hearing proceedings, the reception of evidence and any review or appeal of a decision shall prepare a written record of the proceedings which shall include the evidence considered in the proceeding, each finding of fact based on the evidence, the conclusions and decisions regarding alleged rule violations and a statement of penalties, if any, imposed and of other relief granted or denied. This written record constitutes the official record and decision of the Hearing Committee, or any presiding person or persons, and all decisions, including initial recommended and final decisions are a part of the official record. In order to expedite the issuance of a written ruling or rulings the written record may be issued in abbreviated form in the discretion of the presiding person(s), but in such event the presiding person(s) shall retain the option of replacing the abbreviated ruling with a complete written record at any time, and shall do so if requested in writing by a party to the matter or by the Association Board of Directors or Executive Committee. The written record shall be issued within 10

business days of the hearing of a matter heard and may be issued in abbreviated form.

F. Opening and closing statements may be made by the parties to the protest, charge or grievance or their representative, but the Hearing Committee reserves the right to limit the length of such statements.

G. The Association will not require a verbatim stenographic transcript of the hearing to be made, but parties to the hearing may arrange for one through the Association in advance of the hearing and one will be ordered for them and the Association at the expense of the party or parties requesting the transcript. If a transcript is ordered, it becomes part of the official record of the proceeding, cannot be canceled after the hearing is held, and must be paid for by the requesting party or parties. If the Association itself requests and arranges for the transcript, copies will be provided to the respondent(s) by the Association only upon payment by the respondent(s) to the Association of one-half (1/2) the cost to the Association of the transcript. If another party requests the transcript, a copy will be provided to Association upon payment by Association of one-half (1/2) the cost to the party of the transcript.

H. Upon the consent of the parties to a protest, charge or grievance, the Chair of the Hearing Committee may direct that the matter be summarily heard and decided on an expedited basis upon such notice acceptable to the parties as time and circumstances allow for justice to be done. Even absent the consent of the parties, the Chair of the Hearing Committee may in their discretion direct that a hearing of any grievance heard pursuant to either of the Rules shall be expedited whenever in their opinion by majority vote it is necessary to expedite the matter in order to resolve it and produce a sufficiently early decision to do justice to the affected parties. Upon the request of an athlete or other party that it is necessary to expedite such hearing in order to resolve a matter relating to a competition which is so scheduled that compliance with regular procedures would not be likely to produce a sufficiently early decision to do justice to the affected parties, the hearing shall be so expedited to be concluded prior to the competition. The hearing may be conducted at the site of athletic competition or by telephone conference if necessary. The notice of hearing may be oral, or in writing, and shall in every instance contain the following: the party filing the charge, protest or grievance; any other party involved; identification of the person or persons subject to the charge, protest or grievance; the Association bylaw or rule allegedly violated or about to be violated; a concise statement of facts surrounding the alleged violation; and the action that the party filing the charge, protest or grievance wants taken. The decision of the hearing panel may be rendered orally, shall be final and may be made effective immediately, but shall be reduced to writing at the earliest possible time, shall include findings of fact and conclusions based upon such findings, and shall be promptly provided to all of the parties involved.

1. Whether or not the same are specifically provided for elsewhere in the Rules, in all hearings conducted, the parties shall be accorded:
2. Notice of the specific charges or alleged violations in writing, and possible consequences if the charges are found to be true;
3. Reasonable time between receipt of the notice of charges and the hearing within which to prepare a defense;
4. The right to have the hearing conducted at such a time so as to make it practicable for the person charged to attend;
5. A hearing before a disinterested and impartial body of fact finders wherein the proponent of the charge must substantiate the charge by a preponderance of the evidence;
6. The right to be assisted in the presentation of one's case at the hearing, including the assistance of legal counsel, if desired;
7. The right to call witnesses and present oral and written evidence and argument;
8. The right to confront and cross-examine adverse witnesses, including the right to be provided the identity of witnesses in advance of the hearing;
9. The right to have a record made of the hearing if desired;
10. A written decision, with reasons therefore, based solely on the evidence of record, handed down in a timely fashion;
11. Written notice of appeal or review, where applicable, if the decision is adverse to the person charged, and prompt and fair adjudication of the appeal or review.

X. Review of Decisions.

A. By the Hearing Committee.

1. A respondent, protester or charging party who wishes to request a review of the Hearing Committee's original decision must make such request in writing, setting forth the reasons why a review is sought. Said request must be accompanied by a fee of \$500, which fee is not refundable except in the discretion of the Hearing Committee.

Said request and fee must be received within 30 days from the issuance of the ruling being reviewed.

2. Appeal of decisions made by other than the Hearing Committee

3. When the presiding person, persons or Show Committee other than the Hearing Committee makes an initial decision, that decision then becomes the decision of the Association without further proceedings, unless there is a written appeal to the Hearing Committee for review by a party to the proceeding or by the Association, which must be received within thirty (30) days from the issuance of the ruling being reviewed. On appeal from the initial decision, the Hearing Committee will review the matter de novo.

XI. Rehearing.

Upon the discovery of new facts not discoverable by due diligence prior to a hearing, a party may request a hearing before the Hearing Committee. Such request must be in writing and must contain a statement of the new facts upon which it is based and must be accompanied by a fee of \$250, which fee is not refundable except in the discretion of the Hearing Committee. Said request and fee must be received by the Association within 30 days from the issuance of the ruling which is being contested. Rehearings will not be granted as a matter of right but are at the discretion of the Hearing Committee.

XII. Notification.

A. When a decision has been reached regarding a charge or protest heard by the Hearing Committee the Association shall send out the findings within 60 days of the decision. Where findings cannot be issued within 60 days of the decision, the Association shall send written notification to all concerned parties that the findings are not yet available and when the findings are expected to be released.

B. The Association will publish in *Paso Fino Horse World* or on the *PFHA website* a notice of every penalty assessed against any person, horse or Licensed Competition and the period of any suspension. Any Licensed Competition which allows a suspended or expelled person or horse to participate is itself liable to penalty, including suspension or expulsion.

C. The Association may report disciplinary action taken by the Association to another association if in its opinion reporting is advisable for the protection of mutual interests.

XIII. Reciprocity.

A. On receipt of notice that disciplinary action has been taken by an administrative agency, arbitration or other tribunal body, humane society or court of law, whether civil, criminal, arbitral or administrative, against a person, a National Officer of the Association or Executive Director of the Association may make a charge against the person under the provisions of Chapter One and following a hearing, the Hearing Committee may impose any penalty.

B. On receipt of notice that USEF has taken disciplinary action and has applied penalties against a person subject to Association rules, with notice to the affected parties but without further proceedings, the Association shall impose any sanction resulting from the adjudication process in accordance with USEF protocols, as applicable.

C. Following a hearing, The Association's Hearing Committee may deny or suspend the privilege to participate in or go upon the grounds of Licensed Competitions, and/or deny, expel or suspend the privileges or membership in the Association to any person, whether or not a member of the Association, whom an indictment, information or charge has asserted, or whom any civil, criminal or

administrative court or arbitration or other tribunal has found, to have committed or participated in any plan or conspiracy to commit any act of cruelty or abuse to a horse, whether or not any such alleged or actual act, plan, or conspiracy occurred on the grounds of a Licensed Competition, or was in conjunction with, or was an element of some other offense, actual or alleged. For purposes of this subsection, cruelty and abuse shall include, but shall not be limited to killing, crippling, abandoning, mistreating, neglecting, or any other form of abuse of a horse.

XIV. PENALTIES

A. Administrative Penalties for violations of USEF Chapter 4 (Drugs and Medications) will be handled pursuant to Chapter 4, GR412. For violations of any other rules, the procedures outlined below will be utilized.

B. In the event of an apparent rule violation, other than one involving Chapter 4, which is brought to the attention of the Association and where no protest or charge has been filed, the Association may hold in abeyance the issuance of charges of rule violation pending further determination by the Executive Director.

C. After investigating the situation, the Executive Director shall make a determination in his or her discretion whether to issue charges of rule violation, impose

administrative penalties, issue a warning or take no further action in the matter.

D. In the event the Executive Director determines to impose administrative penalties in lieu of the issuance of charges of rule violation, he or she shall be authorized to impose any or all of the penalties enumerated in setting forth the terms and conditions for compliance. The parties offered the administrative penalty shall, after written notice, be subject to any and all administrative penalties imposed by the Executive Director, unless a timely written request for a hearing is made.

E. The Association shall give written notification to the accused of administrative penalties, the terms and conditions of which shall not be subject to negotiation.

Administrative penalties accepted in accordance with this Rule are subject to approval by the Hearing Committee. Once accepted by all parties and by the Hearing Committee, an administrative penalty shall have the same force and effect as would a finding of rule violation by the Hearing Committee following a hearing and shall be published in Paso Fino Horse World or on the PFHA website. In the event that the Hearing Committee does not approve an accepted administrative penalty, written notification of same will be sent to the accused and shall constitute a timely written request for a hearing.

F. Any accused person who receives notice of an administrative penalty may request a hearing before the Hearing Committee. A written request for a hearing must be actually received in the Association office within 30 days of the

date of receipt by the accused of the notice of administrative penalty(ies), after which time the right to a hearing shall be deemed to have been permanently waived. Once accepted by the accused and approved by the Hearing Committee, administrative penalties shall be effective immediately, shall be final, and shall not be subject to further review under any circumstance(s).

G. In the event a timely written request for a hearing is received the Association shall issue written charges and the Hearing Committee shall conduct a hearing upon said charge(s). In the event of a finding of a violation, the Hearing Committee shall not be limited in choice of penalties to those that might have been imposed nor in any such instance shall the Hearing Committee be limited in any other way in exercising all of its prerogatives as set forth in the Bylaws and Rules.H8. An offer of an administrative penalty will not preclude the filing of charges by a party other than the Executive Director. Such a charge, however, must be received by the Association before the administrative penalty is approved by the Hearing Committee. In the event such a charge is filed and in the event the Executive Director is subsequently unable to adjust the matter to the satisfaction of the charging party and the accused, then the offer of administrative penalty shall be nullified and the matter shall proceed to hearing.

H. Denial of Participation in Association Events. On or after such time as a person has been denied participation privileges in Association approved events, but his/her membership privileges are not affected, the following restrictions shall apply:

1. That person shall not be eligible to participate in any Association approved event.
2. That person shall not be eligible to hold approved Judges credentials or any other Association accreditation.
3. Horses which are recorded in the name of such person or spouse, or owned in whole or in part by such person, are not eligible to participate in any Association approved event.
4. During the period of denial of Association privileges, failure to comply with these restrictions and any other express conditions or restrictions of said disciplinary actions may constitute grounds for further disciplinary action.

I. Probation. Probation means that a person's conduct and actions with respect to all Paso Fino Horse Association activities are subject to strict review during the period of probation. A person who violates an Association rule or written policy while on probation is subject to more severe disciplinary action than might otherwise be the case.

J. Effect of Suspension or Denial of Privileges. On or after such time as any person has been suspended or denied further Association privileges, the following restrictions shall apply:

1. Person May Not Participate in Events. That person shall not participate and shall be ineligible to participate in any Paso Fino Horse Association approved

event. Nor shall such person be eligible to hold approved Judge's credentials or any other Association accreditation.

2. Restrictions on Registration and Transfers. That person or spouse or minor child shall not register any horse with the Association or transfer registered horses into his or her name or that of his or her spouse, child or business in which the person is an owner. However, the signatures of the suspended person and that person's spouse will be honored on transfer reports for the purpose of allowing such disciplined person or spouse to transfer horses recorded in his or her ownership at the time of notice of disciplinary action. In addition, written leases filed with the Association prior to date of notice of suspension, covering horses owned by the suspended member shall be valid and the signature of the lessee shall be accepted during the original term of such lease, but not during the renewal period of such lease.

3. *No Registration If Breeding Date During Period of Suspension. No horse shall be registered which is sired by a stallion, or out of a mare, owned or leased by such person or spouse or business where the breeding date is shown to be during the period of disciplinary action and until penalties or fines are paid.*

4. Horses May Not Participate in Events. No horse which is registered in the name of such person or spouse is eligible to participate in any event approved or recognized by the Association.

5. No Recognition of Signatures. The Association shall not accept the signature of such person, nor such person's spouse, nor that of such person's children under the age of eighteen (18) on any breeder's certificate or stallion reports evidencing breeding taking place on or after the date of notice of suspension.

6. Advertising Restrictions. a. No person on suspension or that person's spouse may advertise in *Paso Fino Horse World* during the period of his suspension, nor may that person's name, or that of his/her spouse appear in any advertisements in *Paso Fino Horse World* during the period of suspension.

b. If publication deadlines or other factors make it impractical to stop advertising that is in violation of Rule 6., a., above, this advertising will be terminated as soon as possible.

G. Additional Violations During Suspension. During the period of suspension or denial of Association privileges, failure to comply with these restrictions, and any other express conditions or restrictions of said disciplinary action, may constitute grounds for further disciplinary action.

H. Publication. When a member is disciplined, suspended, expelled or fined, or a

nonmember is denied membership privileges, publication of the action shall be made as soon as practical in Paso Fino Horse World. Said publication shall include rule number

violated. The Association office shall also notify the management of every Association sanctioned show by letter of the penalizing of any person and of the person thereof.

I. Reimbursement for Costs in Unsuccessful Challenge to Association, Venue for Legal Action. The Association has adopted the following provision for the mutual benefit of the members and with the intention of reducing the Association's litigation expenses,

which expenses would ultimately be borne by members and nonmembers participating in Association activities. Every member, by joining the Association, or nonmember, by purchasing Paso Fino horses, filing a registration application or other documents with the Association, or participating in Association approved events, does thereby agree as follows:

- 1. If unsuccessful in an attempt to overturn Association decision, actions, rules or regulations, to reimburse the Association for its reasonable attorney's fees, court costs and other expenses in defense of such suit; and**
- 2. That he/she will not commence any action, whether in law or equity, against the Association in any courts other than those federal and state courts located in the state of Florida.**

Rationale: To provide the association with more complete procedures regarding hearing and penalties. This is taken from the USEF Rulebook Chapter 6. It has been modified to fit the needs of the PFHA.

Financial Impact: fees set within will provide revenues for the PFHA as well as pay for legal fees of the Association.

Legal Opinion:

This is an entire re-write of the PFHA Disciplinary Procedures Rules. I do not know how to comment on this proposed rule change other than to say that I do not believe it is appropriate or necessary. I believe the current Disciplinary Rules satisfy the due process requirements that need to be afforded to members, and yet allows the PFHA to maintain control of the process. If there is some particular provision of the current Disciplinary Rules in question, that should be specifically addressed, but I do not believe this total re-write is in the best interest of the PFHA. In any event, I do not believe that

such a comprehensive re-write should be presented without significant study and input from many sources.

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Author: Lewis Haines

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IX. Disciplinary Procedures. VII. 4 (new).

New Paragraph:

4. Testimony by Notarized Statement. Testimony may be given at a hearing by notarized statement. Any person desiring to present testimony in this manner shall notify the Executive Director and provide the written notarized testimony at least 14 days prior to the hearing.

Rationale: If a person involved in a hearing cannot attend, or provide testimony via telephone, a hearing can still be held with as much information as possible.

Financial Impact: None

Legal Opinion:

I am not entirely opposed to this proposed rule change, however, it has two areas that should be considered. Association due process hearings are not governed by state rules of evidence, and therefore signed statements are sometimes accepted without being notarized. Requiring that statements be notarized may limit the ability of some members to provide evidence. From the other end of the spectrum, it would not be good to have a hearing conducted primarily using notarized statements because the ability to cross-examine a witness is very important in a hearing process. This rule might encourage more witnesses and parties to use only notarized statements.

1- 5

Author: Richard Lockhart

Page 30.

Section IX. Disciplinary Procedures. C. Notice of Hearing. 6. Decision of Hearing Committee.

Delete last sentence. Replace with:

The decision and disciplinary action will be final unless new evidence is presented to the Hearing Committee Chair that was not able to be heard at the time of hearing. This information must be presented within 30 days of hearing date. It will be at the discretion of the Hearing Committee Chair whether a new hearing or rehearing is justified. In any case, the new hearing date must fall with the scope of the original Hearing Committee and be heard by on those Hearing Committee members attending the original hearing.

Rationale: If, for some reason, out of the witness's control, they are kept from presenting evidence pertinent to the fact finding of the Hearing Committee, this evidence can be repeated. It is imperative that the same Hearing Committee hear the information for only they have the testimony in its entirety.

Financial Impact: There may be additional cost if the current Hearing Committee is not the same committee which originally heard the testimony and evidence.

Legal Opinion:

I am opposed to this proposed rule change because I do not think it is in the best interest of the PFHA. I think it is very important to the PFHA for the decisions of a hearing committee to be final and binding on all parties, and for all parties to understand there is no appeal. Any rule that allows for an appeal or reopening of a hearing would prove to be very costly and time consuming for the PFHA in my opinion.

Having given my opinion, I have no doubt but that the Executive Director and Executive Committee have the legal authority to grant a new hearing if in fact they are presented with a situation where some fraudulent act has denied a due process hearing to a PFHA member.

1- 6

Author: Dr. Margaret Fahringer

Page 31.

Section IX. Disciplinary Procedures. F. Effect of Suspension or Denial of Privileges.

3. No Registration If Breeding Date During Period of Suspension.

No horse shall be registered which is sired by a stallion, or out of a mare, owned or leased by such person or spouse or business where the breeding date is shown to be on or subsequent to the date of notice of disciplinary action

(Add) until fees, penalties, or fines are paid in full to the Association.

Rationale: Once fees, penalties, and fines are paid, the member is now in good standing and should be accorded all privileges of membership including the right to register horses with the Association.

Financial Impact: This would be an added source of revenue for the Association.

Legal Opinion:

I am opposed to this proposed rule change because it would allow a person to avoid the effect of suspension simply by paying the fine, assuming the disciplinary action involves both a period of suspension and a fine. Persons who are on suspension know that they are not entitled to breed their horses while on suspension because the resulting foals will not be eligible for registration. Allowing these people to breed their horses while they are on suspension and then later pay a fine which was a part of the disciplinary action taken against them, significantly reduces the effect of the disciplinary action.

1 - 7

Author: Lewis Haines

Page 31.

Section IX. Disciplinary Procedures. C. Notice of Hearing. 4. Continuance.

Add at end of this paragraph:

After three (3) continuances have been granted, the Executive Director will schedule the hearing for the next hearing date and provide the participants the opportunity to attend, have a representative attend, testify by telephone, or notarized statement. This final hearing will be conducted in accordance with the procedures in paragraph 5. (following)

Rationale: We have a hearing that has been continued for eleven (11) years. This will prevent this from happening again.

Financial Impact: None.

Legal Opinion:

I am opposed to this rule. While I think it is rare that three (3) continuances would be granted, circumstances could arise where an additional continuance needs to be granted. If that circumstance does arise, the PFHA should not be required to hold a hearing when it is not in the best interest of the PFHA to do so.

Lynn,

Per your request, I have reviewed the RCP's for Chapter 2 and have pasted my comments below:

Regards,

John T

RULE CHANGE PROPOSALS

2009

CHAPTER TWO

2 - 1

Page 34.

Author: Judges and Stewards Committee

Section I. Regional Group Sponsored Shows. A. Classification. 1. USEF-PFHA AB Sanctioned Shows.

Second paragraph, second sentence - Add - (See Exclusion...) The chapter and section where the Exclusion appears would be indicated here.

***** (RCP 5 - 4 must pass for this rule to be passed.)

5 - 4

Page 90.

Author: Judges and Stewards Committee

Section III. Classifications.

ADD: (New)

E. Guest Steward. A USEF Licensed Steward may fulfill the

requirements and duties at a PFHA/USEF A.B. Sanctioned Show with 35 or fewer horses. Count to be determined by the previous year's steward's report. This steward must enforce all applicable PFHA rules and submit a PFHA Stewards Report to the Association. A Guest Steward Card is required; application must be made at least 90 days before the show.

If this passes:

Re - letters E, F, and G to F, G, and H.

Rationale: Most AB Shows have few entries. The financial burden to have a PFHA

Steward may be prohibitive. This rule change proposal may enable small shows to have Paso Fino horses exhibited at these shows (will it or won't it?)

Financial Impact: Positive for small Regions since there would be less expense.

Rationale: See Rule Change Proposal 5 - 4

Financial Impact: See Rule Change Proposal 5 -4

Tonetti Comments RE RCP 2-1:

Can you understand what the author submitted? NO

Do you agree with the rationale? YES

Do you agree with financial impact? YES

Do you see a conflict with this RCP from anywhere else in the rule book?
NO

What is your recommendation? See if this can be clarified

If you think that the author made a mistake by referencing the wrong chapter, division, or paragraph, note that as well. We can get back to them for a correction.

2 - 2

Page 34

Author: Events Committee

Section I. Regional Group Sanctioned Shows. A. Classifications. 2. AP Shows.

ADD at end of paragraph:

Each region may designate one USEF/.PFHA show weekend per show year to be a double-pointed show. All other AP shows will be single pointed.

Rationale: This proposal is to limit the number of double-pointed shows per region to

one USEF double-pointed show weekend per year. USEF All Breed shows will still remain double pointed and regions may have more USEF shows, they will just designate one weekend per year for their double-pointed USEF show. This will make it more difficult to earn points while still allowing each region to maintain one larger double-pointed show per year and will encourage participation in more shows per year for exhibitors to obtain points on a more rational level.

Financial Impact: None.

If this rule change proposal passes, RCP 6 - 3 will also have to pass.

Tonetti Comments RE RCP 2-2

Can you understand what the author submitted? YES

Do you agree with the rationale? NO though there are pros and cons to this

Do you agree with financial impact? NO;

(1) If passed this will have negative impact on USEF income and relationship with PFHA

(2) It does not follow that reducing show fees in this way will increase participation at shows and total impact on weekend expense to attend a show will not be dramatically reduced.

Do you see a conflict with this RCP from anywhere else in the rule book?

What is your recommendation?

If you think that the author made a mistake by referencing the wrong chapter, division, or paragraph, note that as well. We can get back to them for a correction.

2 - 3

Page 35

Author: PFHA Staff

Section I. Regional Group Sponsored Shows. B. Show Application 3.
Show Date Approval.

To assist in giving each sponsoring Region Group the same opportunity to receive show date approval, each Regional Group should make application for proposed shows for the current show year by the first Board of Directors meeting of that show year.

Approval for shows and dates will be granted by the Executive Director. It is preferable that two (2) shows not be scheduled for

the same date. If two (2) Regional Groups that are within 500 miles of each others' event want to hold shows on the same dates , the show application properly received first in the Association Office will be approved. The distance between the respective event locations will be determined by Rand McNally).Rationale: This allows the Regional Groups to obtain maximum exhibitors

without hurting another Regional Group show.

Financial Impact: None.

RCP 2 -3 and 2 - 4 are similar but only one can be voted in. Or both can be voted down.

Tonetti Comments RE RCP 2-3

Can you understand what the author submitted? YES

Do you agree with the rationale? YES

Do you agree with financial impact? YES

Do you see a conflict with this RCP from anywhere else in the rule book?
NO

What is your recommendation? NONE

If you think that the author made a mistake by referencing the wrong chapter, division, or paragraph, note that as well. We can get back to them for a correction.

2 - 4

Page 35.

Author: Events Committee

Section I. Regional Group Sponsored Shows. B. Show Application 3.
Show Date Approval.

ADD:

1. The distance between Competitions held on the same weekend shall be a radius of 500 miles. Mileage radius shall be measured using a map drawn to scale by AAA, Rand McNally or the USGS, or by using USGS based software to measure the distance between the locations where competitions are being conducted. (i.e., address of the facility where each competition will be held or the longitude and latitude if an exact address does not exist.)

2. If the mileage between competitions is less than a radius of 500 miles, conflicting dates will be approved provided all affected competition managements agree in writing to waive the mileage requirement and all other requirements for approval are met.

Rational: To keep close shows from competing against each other.

Financial Impact: None.

RCP 2 - 3 and 2 - 4 are similar but only one can be voted in. Or both can be voted down.

Tonetti Comments RE RCP 2-4

Can you understand what the author submitted? YES

Do you agree with the rationale? YES

Do you agree with financial impact? YES

Do you see a conflict with this RCP from anywhere else in the rule book?
NO

What is your recommendation? NONE

If you think that the author made a mistake by referencing the wrong chapter, division, or paragraph, note that as well. We can get back to them for a correction.

2 - 5

Page 41.

Author: Zarela Olsen

Section II. Entry Requirements. A. Eligibility. 1.

DELETE in its entirety the sentence below:

“A cloned horse as defined in Chapter Eight, A.1.a. is not eligible to participate in any PFHA sanctioned show or event.”

Rationale: This will allow for the preservation of important genetic material for the future benefit of the breed.

Financial Impact: Will generate additional revenue to PFHA from increased registrations.

Tonetti Comments RE RCP 2-5

Can you understand what the author submitted? YES

Do you agree with the rationale? NO

Do you agree with financial impact? NO

Do you see a conflict with this RCP from anywhere else in the rule book?
NO

What is your recommendation? NONE

If you think that the author made a mistake by referencing the wrong chapter, division, or paragraph, note that as well. We can get back to them for a correction.

2 - 6

Page 41.

Author: PFHA Staff

Section III. Duties of Participants and Regional Group Sponsoring a Show.
D. Credentials.

CHANGE to read:

The following credentials must be made available to Show Management and the Association Steward and copies of said credentials must accompany the entry form:

1. Each participant's Association membership card, and USEF card,
if applicable.
2. The participant's Association Amateur card, if applicable.
3. A copy of each horse's entry's registration papers (back side only if it contains the owner's name.)

4. All other papers and health documents required by law or by competition management.

5. Copies of applicable Lease Agreements.

6. Affidavits of Sales Contracts.

If the participant has submitted their entries via the PFHA online entry system then the following credentials must be made available to Show Management and the Association Steward, and copies of said credentials must be presented at time of check in:

1. All other papers and health documents required by law or by competition management.

2. Copies of applicable Lease Agreements.

3. Affidavits of Sales Contracts.

4. Copies of USEF card, if applicable.

Rationale: The online entry system already checks the status of the memberships,

(i.e., if a participant/owner is current through the date of said show and has A/O status, etc.) Registration papers are also verified via the system (i.e., correct sex, correct class based on age of horse, etc.) There is no need to submit copies of these items to the Show Secretary or the Show Steward when these items are being validated through the online entry system.

Financial Impact: None.

Tonetti Comments RE RCP 2-6

Can you understand what the author submitted? YES

Do you agree with the rationale? YES

Do you agree with financial impact? YES

Do you see a conflict with this RCP from anywhere else in the rule book?
NO

What is your recommendation? NONE

If you think that the author made a mistake by referencing the wrong chapter, division, or paragraph, note that as well. We can get back to them for a correction.

2 - 7

Page 47

Author: Rufino Figueroa

VII. Tack and Attire. D. English Tack. 3. Reins.

ADD:

Leather English reins must be used in Equitation and Horsemanship classes.

Rationale: This is standard in all disciplines - makes our breed look unprofessional.

Financial Impact: None.

Tonetti Comments RE RCP 2-7

Can you understand what the author submitted? YES

Do you agree with the rationale? YES

Do you agree with financial impact? YES

Do you see a conflict with this RCP from anywhere else in the rule book?

What is your recommendation? Should not Silver and Gold Medal Equitation be included in the text ?

If you think that the author made a mistake by referencing the wrong chapter, division, or paragraph, note that as well. We can get back to them for a correction.

2 - 8

Page 47

Author: Rufino Figueroa

VII. Tack and Attire. D. English Tack. 3. Reins.

After last sentence on Snap - ADD:

except Equitation and Horsemanship classes.

Rationale: To clarify it must be English reins.

Financial Impact: None.

Tonetti Comments RE RCP 2-8

Can you understand what the author submitted? YES

Do you agree with the rationale? YES

Do you agree with financial impact? YES

Do you see a conflict with this RCP from anywhere else in the rule book?
NO

What is your recommendation? NONE

If you think that the author made a mistake by referencing the wrong chapter, division, or paragraph, note that as well. We can get back to them for a correction.

2 - 9

Page 52

Author: Virginia Foster

Section XII. Amateur and Amateur Owner.

Remove the requirement to own the horse in order to compete in Amateur classes. Basically, change the “amateur owner” classes to “amateur” classes. The definition of “Amateur” would be unchanged.

Rationale: Allow an amateur to compete regardless of whether they own the horse

This will increase the participation in the amateur classes. Currently if an amateur doesn't own a horse, the only classes in which they can compete are the open classes with the professionals. Competing against the professionals is unfair to the amateur. In our region, we have owners that can no longer ride their own horses but still enjoy watching young riders compete on their horses. The requirement to own the horse, forces these owners to share ownership, which is not what the owner wants.

Additionally, in our region, we have young riders that are too old to compete in the Youth classes. By removing the requirement to own the horse, these young riders can compete in the amateur classes rather than in the open classes with the professionals.

Financial Impact: Increase participation at the shows, thereby increasing revenue for

PFHA.

Tonetti Comments RE RCP 2-9

Can you understand what the author submitted? YES

Do you agree with the rationale? NO I believe Country Pleasure is an Amateur Class

Do you agree with financial impact? YES

Do you see a conflict with this RCP from anywhere else in the rule book?
NO

What is your recommendation? NONE

If you think that the author made a mistake by referencing the wrong chapter, division, or paragraph, note that as well. We can get back to them for a correction.

Author: Alexandra Amador

New Section:

XIII. Guest Competition Passport.

A. Guest Competition Passport may be issued to horses not registered with the Paso Fino Horse Association for competition purposes only. The Guest Competition Passport does not entitle the horse the right to accrue points towards any Paso Fino Horse Association awards nor to attend the Paso Fino Horse Association's Grand National Championship Horse Show. There will be a lifetime limit of two (2) Guest Competition Passports issued to any horse. After that, the horse must be registered with the Paso Fino Horse Association to compete at association sanctioned shows. The PFHA will keep the original Guest Competition Passport applications in a designated folder for easy retrieval, if necessary. The PFHA office will keep a list of issued Guest Competition Passports and will provide that list to every designated show secretary at the time that the official show packet for a show is mailed.

B. Requirements for Use of a Guest Competition Passport:

1. The applicant horse must be registered with an accepted registry, recognized as such by the PFHA at the time of the competition. The list of accepted Registries must be current as of the week of the competition in which the Guest Competition Passport will be used. The list may be obtained from the PFHA.

2. The applicant horse must meet all the eligibility requirements for registration with the Paso Fino Horse Association as stated in Chapter 8., Section IV., 1., such that the applicant horse's sire and dam both are designated paso fino and the applicant horse is not a clone, nor the result of a cloned sire or dam.

3. The Certificate of Registration from the accepted registry, original or copy, must accompany the Guest Competition Passport application and be presented to the Show Secretary.

4. The Guest Competition Passport application must be filled out in its entirety and submitted with the official show entry form to the Show Secretary for entry in a PFHA sponsored show.

5. For the purposes of showing, the age of the horse utilizing the Guest Competition Passport will be as determined by Chapter Two, VII, C. Horses Age.

6. The Guest Competition Passport fee (to be determined by the Finance Committee and approved by the Board of Directors) must be paid to the Show Secretary where the Passport will be used.

7. All fees for the Guest Competition Passport will be non-refundable in the event the entry is not able to compete in the competition as entered. However, in the event the Guest Competition Passport is not used due to the scratching of the applicant horse from the competition where the passport was applied for, it will not count towards the two (2) lifetime Guest Competition Passports for a particular horse.

8. All owners of the horses utilizing the Guest Competition Passport must be regular members of the Paso Fino Horse Association.

9. If the owner of the horse is a farm or other business entity, the entity must be a member of the PFHA and a registered agent must be designated and also be a member of the PFHA.

10. The rider/trainer of the horse utilizing the Guest Competition Passport must be a member of the Paso Fino Horse Association.

Other rule book modifications for Guest Competition Passport:

Chapter Two. Section I., E., 1. Show Summary.

Add after: “A show summary must be submitted for each show listing class number, class name, horse placements, full registered names of horses, registration numbers of horses, exhibitors’ name and membership numbers, current recorded owner(s) name(s) and/or farm name under which the horses are shown and their membership number(s). Any entry from a horse utilizing a Guest Competition Passport will be reported to PFHA with the entry’s name as it appears on the registration certificate, the horse’s registration number as listed on the registration followed by CP. This information will be used solely for financial accounting purposes.

Chapter Two. Section I. E. 2. Recording of Points.

Add after :The Association shall maintain a record of points awarded for all horses and riders.” No points will be recorded for horses utilizing a Guest Competition Passport. (Duplicate[JUT1] Sentence)

Chapter Two. Section II. A. Eligibility.

Add after: “and must be entered and exhibited under its full registered name and registration number.” The registered name of a horse utilizing a Guest Competition Passport will be the name that appears on the Certificate of Registration used to obtain the Guest Competition Passport. The Registration number for a horse utilizing a Guest Competition Passport will be the horse’s registration number as it appears on the Certificate of registration used to obtain the Guest Competition

Passport followed by CP and the date used (for example, Reg # 39753 CP 05-31-09.)

Chapter Two. Section II. D. Credentials.

Add after # 6

7. Guest Competition Passport applications completed filled out.

Rationale: The Guest Competition Passport idea is similar to that of the issuance of

a Guest Judge’s card and a Guest Steward’s card. The Guest Competition Passport requires that the horse be registered with an accepted registry and be completely eligible for registration within our rules so the integrity of our competition system is protected and paso finos compete only with paso finos. The Guest Competition Passport will not allow accrual of any points or high point awards within our system nor will it confer eligibility to qualify for our Grand National Championship Show. There is a lifetime limit so that to compete after the limit is reached will require actual registration with PFHA. Probably, the most import reason behind the idea is that it allows to bill ourselves as complete international, at last at a Regional

level. It will allow Regional Groups that hold major shows to COMPETE DIRECTLY with other American entities that allow competition of otherwise eligible horses that are not registered with PFHA.

Financial Impact: Each Guest Competition Passport will generate a fee determined

by the Finance Committee and approved by the Board of Directors for the Association. It will be a non-refundable fee, even if the horse does not compete. It will generate new PFHA membership fees since all owners and trainer/rider must all be PFHA members as well (at \$55 each.) The lifetime limit of two (2) passports will cause horses probably used both passports with a short period of time and then the owners will be faced with the choice of actual registration or no longer being allowed to compete in a PFHA show. A Guest Competition Passport will bring in extra money that would not otherwise have been available, from horses that come solely for competition and have no interest in actual registration. These animals would not otherwise have come into the country and we would not have had the Guest Competition Passport fee or the membership fees of the owners and trainers. Since the fees are not refundable, horses and owners that decide to stay and register their horses would be required to pay the full fee to register their horse.

Tonetti Comments RE RCP 2-10

Can you understand what the author submitted? YES

Do you agree with the rationale? YES

Do you agree with financial impact? YES

Do you see a conflict with this RCP from anywhere else in the rule book?
NO

What is your recommendation? Spell Check needs to be run on this RCP as there are three spelling errors therein.

If you think that the author made a mistake by referencing the wrong chapter, division, or paragraph, note that as well. We can get back to them for a correction.

From: resplendords@aol.com [mailto:resplendords@aol.com]
Sent: Tuesday, August 04, 2009 10:22 AM
To: bobwindsor@wildblue.net; john@jtonetti.com; earledge@hcsmail.com; paso64@mchsi.com; margaret52@aol.com; cindy@westwindpasos.com; resplendords@aol.com
Subject: PFHA Rule Change Proposals

Hi all,

Lynn Burke in Memphis. I asked Mary Emmons to send the word document containing all 60 proposed rule changes to you last week. What I'd like to see us do as a committee is pinpoint certain chapters for each of us to review and then get back to me no later than 17 August with your findings. How was the rule presented, can you understand what the author submitted, do you agree with the rationale and/or financial impact, do you see a conflict with this RCP from anywhere else in the rule book, and finally, what is your recommendation? If you think that the author made a mistake by referencing the wrong chapter, division, or paragraph, note that as well. We can get back to them for a correction.

The PFHA attorney, Mary, and I will address the Constitution, Fred Moretti, myself, and USEF will address Chapter 3 since the BOD voted to allow this at the January BOD meeting in Orlando. I voted NO as the delegate for

TVPFHA but it passed anyway, and USEF is now responsible for Chapter 3. Fred did say USEF would redo our "Tack Guide" and put into color with better pictures. We will also separate that guide from the rule book and make it a .pdf file on the PFHA website.

Once I receive your findings, we can submit that to Mary Emmons. If you think any other committees etc., need to be part of your assigned chapter review, please advise me asap so we can do that. We need to have these rules ready to go to print in a booklet form and/or electronic format however Mary deems necessary, by early September. I'll have to present them and discuss them with the entire BOD at the October BOD meeting in Atlanta.

Since we are a committee, be aware of what, where, and how the other chapters are headed as well, i.e. Zarella is asking in Ch. 8 to eliminate the ban on "cloning". Yea or Nay on the issue, we have some big changes to address this year and need to be ready for any questions members may have.

Thanks so much, let me know if you have any questions. Please respond back asap that you are in receipt of the rules and this letter.

Lynn Burke
#16996
901-485-8250 C
901-465-5805 H

Assignments:

Lynn Burke - Constitution and Chapter 3. (20 rcp's)

Bob Windsor - Chapter 1 (7 rcp's)

John Tonetti - Chapter 2 (10 rcp's)

Elizabeth Arledge - Chapter 5 (11 rcp's)

Gwyn Wright - Chapter 4 (3 rcp's) She is also National Show Chair, so I kept it easy on her, thanks Gwyn.

Dr. Margaret Fahringer - Chapter 6 and 8 (5 rcp's)

Cindy Oswald - Chapter 7 (4 rcp's)

Lynn,

I trust you received my review and comment on the RCP's for CH 2 that I sent to you on the 15th. Below is one additional recommendation pertaining to clarifying RCP number 2-4

2 - 4

Page 35.

Author: Events Committee

Section I. Regional Group Sponsored Shows. B. Show Application 3.
Show Date Approval.

ADD:

1. The distance between Competitions held on the same weekend shall be a minimum radius of 500 miles. Mileage radius shall be measured using a map drawn to scale by AAA, Rand McNally or the USGS, or by using USGS based software to measure the distance between the locations where competitions are being conducted. (i.e., address of the facility where each competition will be held or the longitude and latitude if an exact address does not exist.)

2. If the mileage between competitions is less than a radius of 500 miles, conflicting dates will be approved provided all affected competition managements agree in writing to waive the mileage requirement and all other requirements for approval are met.

Rational: To keep close shows from competing against each other.

Financial Impact: None.

RCP 2 - 3 and 2 - 4 are similar but only one can be voted in. Or both can be voted down.

Tonetti Comments RE RCP 2-4

Can you understand what the author submitted? YES

Do you agree with the rationale? YES

Do you agree with financial impact? YES

Do you see a conflict with this RCP from anywhere else in the rule book?
NO

What is your recommendation? That the word minimum be inserted before the word radius.

If you think that the author made a mistake by referencing the wrong chapter, division, or paragraph, note that as well. We can get back to them for a correction.

John Tonetti

P O Box 302858

Austin, TX 78703

512 567-7641 cell

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email: john@jtonetti.com

Lynn, Rule #3-5,3-7,3-8 are very confusing. They cover the Fino, Performance and Pleasure classes. But ,they all refer to the Fino in Sentence d.

She deletes D.1.c and then refers to it . We need help as to what is intended and so stated.

RCP 3-6, (Trail Pleasure) I believe this class need to be in Specialty Class(as Country Pleasure is)?

RCP 3-10, Versatility ,Wrong page Reference, poorly worded.

RCP 3-12 wrong page reference

THANK YOU for taking it easy on the show chair.....I owe ya a HUGE favor for that one. As you can imagine, it is crunch time and things are picking up momentum.

With that said, since 2 of the 3 proposals came from the J & S committee, there is no need for them to go back to them for review. There seems to be no conflict with any other rule regarding the 3 RCP so I guess Chapter 4 would be “good to go”.

As this is the first time I have been on this committee, is that what you need from me at the moment? If you plan to stay on this committee for the next group of changes, let me know as I would like to put my hat in the ring. Maybe I would have more time to really get into the heart of the matter.

Will miss you at Nationals, pass a “hello” on to Rose.

Gwyn Wright

RULE CHANGE PROPOSALS
2009

CHAPTER FIVE

5 - 1

Page 87.

Author: Judges and Stewards Committee

Section II. Application Procedures. B. Applicant Judge and Steward Initial Criteria. 1.

ADD at end of paragraph:

All applicants shall be members of the PFHA.

Rationale: All officials should be members of PFHA.

Financial Impact: Possible source of increased revenue due to membership fees.

1. Can you understand what the author submitted? **Yes.**
2. Do you agree with the rationale? **Yes.**
3. Do you agree with financial impact? **Yes.**
4. Do you see a conflict with this RCP from anywhere else in the rule book? **No, but it may be more clear if the statement said "All applicants must be a PFHA member to hold a Judges card". It becomes a little confusing because earlier in that section there is discussion on being a PFHA member for 5 years, or being a USEF judge, or being a judge in an international PFHA organization. If the intent is that, to hold a card, you must also be a member, I would suggest clearly stating that and making it a separate numbered item. Additionally, the rule only address applicant judges – other classifications such as Sr Certified, etc, do not have the same requirement.**
5. What is your recommendation? **The rule be rewritten to clarify the intent and include all classifications if appropriate.**
6. If you think that the author made a mistake by referencing the wrong chapter, division, or paragraph, note that as well. We can get back to them for a correction.

5 - 2

Page 89.

Author: Judges and Stewards Committee

Section III. Classifications. A. Senior Certified Judge or Steward (SC).

ADD to middle of paragraph:

Only Senior Certified Judges are eligible to judge at the National Show.

Rationale: Normally Senior Certified Judges have more experience and knowledge than Certified Judges to officiate at the National level. As of May 2009, The Association has twenty-nine (29) Senior Certified Judges in their judge's pool.

Financial Impact: None

1. Can you understand what the author submitted? **Yes**
2. Do you agree with the rationale? **Yes**
3. Do you agree with financial impact? **Yes**
4. Do you see a conflict with this RCP from anywhere else in the rule book? **Yes – Chapter 4, Section 1. B..... Each Judge shall be a Certified Judge of the Association and hold a USEF recorded "r," registered "R" or a Guest Judge card.....This rule would have to be amended to read Senior Certified not Certified**
5. What is your recommendation? **An additional rule change must be submitted to clarify Chapter 4, Section 1. B**
6. If you think that the author made a mistake by referencing the wrong chapter, division, or paragraph, note that as well. We can get back to them for a correction.

5 - 3

Page 90.

Author: Judges and Stewards Committee

Section III. Classifications. D. Guest Judge.

CHANGE the 2nd sentence to read:

This judge may not officiate at more than two shows in a five-year period and must officiate with a **PFHA Senior Certified Judge**.

Rationale: A Senior Certified Judge normally has more experience than a Certified Judge and could avoid mistakes made by a Guest Judge. As a reminder, both judges are responsible to be knowledgeable and to follow PFHA rules.

Financial Impact: None

1. Can you understand what the author submitted? **Yes. However, are they suggested that "except at an AB show" be deleted? It is not shown in the change above nor is it addressed in the rationale**
2. Do you agree with the rationale? **Yes**
3. Do you agree with financial impact? **Yes**
4. Do you see a conflict with this RCP from anywhere else in the rule book? **No.**
5. What is your recommendation? **The AB show phrase be addressed. Right now, it appears that it has been taken out by the author.**
6. If you think that the author made a mistake by referencing the wrong chapter, division, or paragraph, note that as well. We can get back to them for a correction.

5 - 4

Page 90.

Author: Judges and Stewards Committee

Section III. Classifications.

ADD: (New)

E. Guest Steward. A USEF Licensed Steward may fulfill the requirements and duties at a PFHA/USEF A.B. Sanctioned Show with 35 or fewer horses. Count to be determined by the previous year's steward's report. This steward must enforce all applicable PFHA rules and submit a PFHA Stewards Report to the Association. A Guest Steward Card is required; application must be made at least 90 days before the show.

If this passes:

Re - letters E, F, and G to F, G, and H.

Rationale: Most AB Shows have few entries. The financial burden to have a PFHA Steward may be prohibitive. This rule change proposal may enable small shows to have Paso Fino horses exhibited at these shows.

Financial Impact: Positive for small Regions since there would be less expense.

1. Can you understand what the author submitted? **Yes.**
2. Do you agree with the rationale? **Yes**
3. Do you agree with financial impact? **Yes**
4. Do you see a conflict with this RCP from anywhere else in the rule book? **If this passes, current letters E-G become F-H. If this passes, RCP 2-1 must pass. Also, Section VIII. F. Certified Steward will need to be changed to the generic term Steward if a Guest Steward will be allowed.**
5. What is your recommendation? **It meets the criteria outlined of a RCP**
6. If you think that the author made a mistake by referencing the wrong chapter, division, or paragraph, note that as well. We can get back to them for a correction.

5 - 5

Page 92.

Author: Judges and Stewards Committee

Section V. Annual Renewal.

ADD: (New)

**C. Code of Ethics and Conflict of Interest Policy.
Judges/Stewards renewing their certification each year must submit a signed Code of Ethics and Conflict of Interest Policy Statement with their appropriate renewal fee.**

Rationale: This requires the behavior of our licensed officials to conform to the highest ethical principles.

Financial Impact: None.

1. Can you understand what the author submitted? Yes.
2. Do you agree with the rationale? Chapter 5, Number 1 (pg 87) addresses with a general statement that being a Judge is a privilege bestowed to someone whose personal character merits the honor. Therefore, a signed policy statement does not seem to add anything to the process.
3. Do you agree with financial impact? Yes
4. Do you see a conflict with this RCP from anywhere else in the rule book? No
5. What is your recommendation? It meets the criteria outlined of a RCP
6. If you think that the author made a mistake by referencing the wrong chapter, division, or paragraph, note that as well. We can get back to them for a correction.

5 - 6

Page 93.

Author: Alexandra Amador

Section VII. Responsibility of a Judge. B. Acceptable Dress.

ADD after: "Men will wear a suit, or a trouser with shirt and sports jacket; ties are not required"

Traditional formal Guayavera shirt may be worn when, due to hot temperature, jackets are deemed optional. In all cases, all shirts or Guayaveras must be long sleeved.

Rationale: The long sleeve Guayavera shirt is traditional formal wear in warm climates where Paso Fino horses are found. Traditional formal clothing must be worn by the show officials, even when jackets are considered optional due to extremely warm temperatures. The Guayavera presents a cooler but still formal alternative in warm climates.

Financial Impact: None.

1. Can you understand what the author submitted? **Yes.**
2. Do you agree with the rationale? **As I read it, if exhibitors are allowed "jackets optional" that male judges who are wearing a long sleeve Guayavera shirt can go without a jacket. However, if you are not wearing a long sleeve Guayavera you must keep your jacket on. I don't see a rule that allows "jackets optional"? How can we allow judges to go without jackets but not exhibitors? USEF PF 102 item 12 allows for show management may modify attire based on extreme temperatures – these would allow show management to decide if male judges can go without jackets. Why isn't it in our rule book??**
3. Do you agree with financial impact? **Yes.**
4. Do you see a conflict with this RCP from anywhere else in the rule book? **No.**
5. What is your recommendation? **It meets the criteria outlined of a RCP**
6. If you think that the author made a mistake by referencing the wrong chapter, division, or paragraph, note that as well. We can get back to them for a correction.

5 - 7

Page 93.

Author: Lewis Haines

Section VII. Responsibility of Judge. F. Divide Classes with More Than 40 Horses.

CHANGE to:

For arenas equal to or greater than 230 feet in length and over 30 horses or riders are entered in a class in which horses compete together, a Judge must divide the class and work it in groups of 30 or less. For arenas less than 230 feet in length, this division will be made into classes of 25 or less. Unless individual tests (rest of the section remains unchanged.)

Rationale: I have repeatedly heard complaints from contestants about classes being so large that the Judge "Couldn't see my horse." True or not, if contestants feel this way, we have a problem. This change will (might) make contestants feel they had a fair chance. We might get more entries.

Financial Impact: There would be more split classes.

1. Can you understand what the author submitted? **Yes.**
2. Do you agree with the rationale? **Yes.**
3. Do you agree with financial impact? **Yes**
4. Do you see a conflict with this RCP from anywhere else in the rule book? **No.**
However, it is a more stringent rule than found in USEF GR 1034 (Judges) #13. Would we need to submit a rule change to get an exception to the general USEF rule?
5. What is your recommendation? **It meets the criteria outlined of a RCP**
6. If you think that the author made a mistake by referencing the wrong chapter, division, or paragraph, note that as well. We can get back to them for a correction. **Clarify that we are changing the first sentence to read....**

5 - 8

Page 94.

Author: Alexandra Amador

Section VII. Responsibility of a Judge. I. Use of Sounding Board.

CHANGE first sentence to read:

Judges may use the sounding board in Classic Fino, Paso Performance, Paso Pleasure, Bella Forma, **Country Pleasure, Western Pleasure, and Versatility** classes, and ... (the rest of this sentence remains the same.)

Rationale: In all classes that have rail work, a judge should have the option to use the sounding board to showcase the Paso Fino gait.

Financial Impact: None.

1. Can you understand what the author submitted? **Yes.**
2. Do you agree with the rationale? **Yes.**
3. Do you agree with financial impact? **Yes.**
4. Do you see a conflict with this RCP from anywhere else in the rule book? **Yes, the option of the sounding board would need to be added to Chapter 3, Section VI. A. (Versatility, pg 73) At this time, the sounding board is not listed as a requirement or an option for the versatility class. Also, the option of using the sounding board must be added to Chapter 3, Section VI E. (Country Pleasure, pg 78) At this time, the sounding board is not listed as a requirement or an option for the country pleasure class.**
5. What is your recommendation? **It meets the criteria outlined of a RCP**
6. If you think that the author made a mistake by referencing the wrong chapter, division, or paragraph, note that as well. We can get back to them for a correction.

5 - 9

Page 98.

Author: Judges and Stewards Committee

Section X. Additional Conflict of Interest and Similar Rules Governing Judges and Stewards. C. Applicants Subject to Same Rules.

Remove exceptions. Rule should read:

All Rules of conduct for Certified Judges and Stewards also shall apply to Applicant Judges and Stewards.

Rationale: We need to condition applicants for the time they must meet the requirements of the rules.

Financial Impact: None.

1. Can you understand what the author submitted? **Yes.**
2. Do you agree with the rationale?
3. Do you agree with financial impact? **Yes.**
4. Do you see a conflict with this RCP from anywhere else in the rule book? **No.**
5. What is your recommendation? **It meets the criteria of a RCP**
6. If you think that the author made a mistake by referencing the wrong chapter, division, or paragraph, note that as well. We can get back to them for a correction.

5 - 10

Page 100.

Author: Judges and Stewards Committee:

Section X. Additional Conflict of Interest and Similar Rules Governing Judges and Stewards. R. Applicant Judge Is Not Involved in Class Placement.

CHANGE Section to read: **R. Applicant Judge and Class Placements.**

And **CHANGE** the Last Sentence

From:

An Applicant Judge may not call the class or participate in any way in the running of the class or participate in any way in the running of the class.

To read:

At the discretion of the Senior Certified Judge and under his/her supervision, the Applicant Judge may be required to call a class per Division.

Rationale: This will allow the Applicant Judge practical experience in the show ring before becoming certified and contracted to officiate along.

Financial Impact: None.

PFHA Staff Input: THIS RULE CHANGE IS UNDER THE ASSUMPTION RULE CHANGE PROPOSAL 5 - 3 WILL PASS. IF 5 - 3 DOES NOT PASS, THE WORDING ON THIS ONE WILL BE INCORRECT.

1. Can you understand what the author submitted? **Yes.**
2. Do you agree with the rationale? **Yes. However, I don't understand the Staff input. RCP 5-3 deals with Guest Judges not Applicant Judges therefore I do not see that 5-3 has to pass for this wording to be correct.**
3. Do you agree with financial impact? **Yes.**
4. Do you see a conflict with this RCP from anywhere else in the rule book? **Not a direct conflict, but the introductory statement for R states that the Applicant Judge shall not take action that could influence the judges decision – calling a class is an action that could influence a decision.**
5. What is your recommendation? **It meets the criteria of RCP.**

6. If you think that the author made a mistake by referencing the wrong chapter, division, or paragraph, note that as well. We can get back to them for a correction.

5 - 11

No page given.

Author: Marjorie Noto

No Section Given.

Ring Steward:

- **Person officially in charge of all activity within the arena.**
- **Act as judge's liaison, mediator between judge and exhibitors.**
- **The steward shall be familiar with the show, contest procedure, etiquette, and all organization rules. The ring steward may need to interpret rules for the exhibitor or judge.**
- **It should be borne in mind that a good steward makes the work of the judge much easier by relieving the judge of unnecessary details.**
- **** The steward should work with the gate people and be by the entry gate to advise competitors of tack or other violations that the steward sees before competitors enter the arena when the show starts.**
- **No one shall be allowed to address the Judge with first asking the Ring Steward and the Ring Steward should always be present.**
- **If the Steward sees a competitor in trouble the PFHA recommends the Steward ask if the competitor requires, "TIME OUT" in an effort to assist the competitor.**

Rationale:

Part of the above text is already common knowledge and need not be written. The most important part of this rule is the Steward be at the entry gate available to HELP the competitors show instead of them getting excused making showing the Paso Fino more friendly and less expensive.

In an effort to make Paso Fino Horse Shows more popular and show friendly, I made some rule additions to the responsibility of the Show Steward after witnessing many disgruntled contestants. The portion to be added and is not mentioned in the PFHA Rule Book and appears in many other horse show rules. In addition to paperwork which should not be completed during the competition when he / she is needed at the arena to HELP the contestants.

These requirements should be part of the Stewards Contract they sign when contracted by a region.

Financial Impact: None

1. Can you understand what the author submitted? **No.** There is no section or reference as to where in the Rule Book this would be added. I assume this would fall under Section VIII (Pg 94) but does not address where to add or what, if anything to delete.
2. Do you agree with the rationale? **No.** The rationale starts by saying that some of this is common knowledge and should not be written. The rules are not clear and contain words such as “should” and “recommends”.
3. Do you agree with financial impact? **Yes.**
4. Do you see a conflict with this RCP from anywhere else in the rule book? **No.**
5. What is your recommendation? **Recommend this rule be rewritten.**
6. If you think that the author made a mistake by referencing the wrong chapter, division, or paragraph, note that as well. We can get back to them for a correction. **Yes, the individual did not list specifically where in the rules this will be added.**

RULE CHANGE PROPOSALS
2009

CHAPTER SIX

6 - 1

Page 101.

Author: Ann E. Bastian

Section II. Awards.

Points awarded at the National Championship Show will count towards year-end awards, including USEF awards.

Rationale: The mark of a true champion includes how they perform at our National Championship Show. Currently awards reflect points accumulated over the year and reward people who show a lot instead of championship horses.

Financial Impact: None - would just affect which points are accumulated.

Since the National Championship show is not open to all horses (you must qualify with a specific number of points), points from the National show cannot be counted towards USEF or PFHA end of the year awards. The show year has ended for PFHA when the Nationals has commenced.

6 - 2

Page 101

Author: Virginia Foster

No Section Given.

Include the points earned at the National Show in the calculations of the Association's Overall High Point Horse of the Year, the Association's Overall High Point Gelding of the Year, the High Point Amateur Owner of the Year, the Association's High Point Senior Amateur Owner of the Year, and the High Point Youth of the Year awards.

Rationale: Recognize the importance of competing and winning points at the National Show.

Financial Impact: None.

Since the National Championship show is not open to all horses (you must qualify with a specific number of points), points from the National show cannot be counted towards USEF or PFHA end of the year awards. The show year has ended for PFHA when the Nationals has commenced.

6 - 3

Page 101.

Author: Events Committee

Section I. General Rules. C. Point Award System.

DELETE section: “Any USEF Show” and “All Breed Show”.

ADD the following section:

All Breed/AP-USEF Show:

First	6
Second	5
Third	4
Fourth	3
Fifth	2
Six	1

Also,

ADD the following section:

USEF-PFHA All Breed Show/Designated USEF Double-Pointed Show:

First	12
Second	10
Third	8
Fourth	6
Fifth	4
Sixth	2

Rationale: This proposal is to limit the number of double-pointed shows per region to one USEF double-pointed show weekend per year. USEF All Breed shows will still remain double-pointed and regions may have more USEF shows. They will just designate one weekend per year for their double-pointed USEF show. This will make it more difficult to earn points while still allowing each region to maintain one larger double-pointed show per year and will encourage participation in more shows per year for exhibitors to obtain points on a more rational level.

Financial Impact: None.

This RCP must be passed if RCP 2 - 6 is passed. If RCP 2-6 does not pass, this RCP must be voted down.

THIS PROPOSAL IS DETRIMENTAL TO REGIONS HAVING USEF SHOWS. BY DOUBLE POINTING ALL USEF SHOWS, WE ENCOURAGE THE PFHA MEMBERSHIP TO EXHIBIT IN USEF SHOWS. TO ALLOW ONLY ONE SHOW WOULD DECREASE THE NUMBER OF USEF SHOWS AND WOULD NOT BE IN THE BEST INTERESTS OF THE PHFA OR THE USEF.

RULE CHANGE PROPOSALS
2009

CHAPTER SEVEN

7 - 1

Page 105

Author: Recreational Rider Committee

Section I. Sanctioned Trail Rides. A. Approval. 6.

CHANGE "Every request will be forwarded to the Events Committee Chairperson" to:

Every request will be forwarded to the Recreational Rider Committee Chairperson.

Rationale: The Events Committee no longer oversees recreational rider programs.

Financial Impact: None

Comments:

I understand what the author submitted, I agree with the rationale, and I agree that there is minimum if any financial impact to PFHA.

I do see a conflict in what the author submits in **bold type**, which only mentions sending every request to the Recreational Rider Committee Chairperson but doesn't mention a follow on to that entire committee. The entire committee would need to be included as all other committees within PFHA operate.

It is unclear exactly what this RCP is asked to do, and it should be

amended or struck.

7 - 2

Page 106

Author: Recreational Rider Committee

Section II. Types of Rides and Points Awarded. A. Competitive Trail Rides.

CHANGE “For example a horse that completes a 35 mile ride will be awarded 15 points.” to:

For example a horse that completes a 35 mile ride will be awarded 14 points.

Rationale: This corrects an error in math.

Financial Impact: None.

Comments:

This one is simple.

I understand what author submitted, agree with the rationale, agree of no financial impact to PFHA, don't see a conflict with it at all, and the math on page 106 should in fact be 14 not 15 points. The rider on a 35-mile ride gets 2 points/per 5 mile increment. 7 increments at 2 points each = 14.

7 - 3

Page 108

Author: Recreational Rider Committee

Section II. Types of Rides and Points Awarded. C. Pleasure Long Distance Trail Rides.

CHANGE: “Points will be awarded on for rides in excess of 10-miles.” to:

Points will be awarded for rides of 10-miles or more.

Rationale: 1. This corrects a typo (“award” to “awarded”)
2. The original intent was to be able to utilize rides of 10 + miles or more, not just those over 10-miles and this change will bring the wording of the rule into alignment with the intent and practice.

Financial Impact: None.

Comments:

I understand what the author submitted, agree with the rationale, see no financial impact to PFHA, and don't see a conflict with this RCP.

1. This is a simple typo/fix and it should be changed to “awarded”.
2. I agree with what the author has submitted where the current rule speaks only of “in excess of 10-miles”, but the points awarded are already going to 5-mile increments. If not changed, this would mandate that no points go to any ride 10 miles or less.

7 - 4

Page 108

Author: Recreational Rider Committee

Section II. Types of Rides and Points Awarded. C. Pleasure Long Distance Trail Rides.

CHANGE (in second paragraph) “One point for each five-mile increment completed for a ride of up to and including 10-miles to:

“One point for each five-mile increment of a 10-mile ride”

Rationale: There are no rides of less than 10-miles in this program, therefore the words “up to” serve only to confuse, not clarify, and need to be removed.

Financial Impact: None

Comments:

I understand what the author submitted, I agree with the rationale, I see no financial impact to PFHA, and I don't see a conflict with this RCP. The author is correct in stating that as currently written, there are no rides of less than 10 miles in this program.

RULE CHANGE PROPOSALS
2009

CHAPTER EIGHT

8 - 1

Page 111

Author: Zarela Olsen

Section IV. Requirements for the Registration of Paso Fino Horses. A. Pedigree Eligibility. 1. Pure Paso Fino Required. a.

DELETE in its entirety the paragraph below:

“Horses produced by any cloning process are not eligible for registration. Cloning is defined as any method by which the genetic material of an unfertilized egg or an embryo is removed, replaced by genetic material taken from another organism, added to / with genetic material from another organism, or otherwise modified by any means in order to produce a live foal.”

Rationale: This will allow for the preservation of important genetic material for the future benefit of the breed.

Financial Impact: Will generate additional revenue to PFHA from increased registrations.

I have researched this and found that the major breeds DO NOT allow cloning.

Argument against:

(1) parents of a cloned foal cannot be verified. When a foal is born you can not verify if the sire was the actual horse or a cloned offspring. The industry is defined on being able to determine the parents; 2) eggs are harvested from expired mares. Up to 200 eggs may be used but out of that number only one or two embryos will mature. There is no way of knowing which mare's egg the embryo came from or the exact genetic material. This will have a negative impact on the gene pool; (3) the economics of the industry would be greatly affected. An individual selling a yearling prospect could pull cells, harvest them, and be in direct competition with the individual who purchased the horse. A stallion owner may clone his stallion and extract semen from the clone and sell it as the original. There is no way of determining the difference between them which would be very destructive to the economic structure of our industry; and (4) through the natural breeding process our product has improved. Cloning would be a reverse process by using horses from the past and not moving forward and expanding the gene pool.

8 - 2

Page 112

Author: Zarela Olsen

Section IV. Requirements for the Registration of Paso Fino Horses. A. Pedigree Eligibility.
2. Registration of Sire and Dam. e.

DELETE in its entirety the paragraph below:

“The offspring of a cloned horse as defined in this Chapter Eight A.1.a. above, is not eligible for registration.”

Rationale: This will allow for the preservation of import genetic material for the future benefit of the breed.

Financial Impact: Will generate additional revenue to PFHA from increased registrations.

Argument against:

(1) parents of a cloned foal cannot be verified. When a foal is born you can not verify if the sire was the actual horse or a cloned offspring. The industry is defined on being able to determine the parents;
2) eggs are harvested from expired mares. Up to 200 eggs may be used but out of that number only one or two embryos will mature. There is no way of knowing which mare's egg the embryo came from or the exact genetic material. This will have a negative impact on the gene pool; (3) the economics of the industry would be greatly affected. An individual selling a yearling prospect could pull cells, harvest them, and be in direct competition with the individual who purchased the horse. A stallion owner may clone his stallion and extract semen from the clone and sell it as the original. There is no way of determining the difference between them which would be very destructive to the economic structure of our industry; and (4) through the natural breeding process our product has improved. Cloning would be a reverse process by using horses from the past and not moving forward and expanding the gene pool.

